

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ASA MILLER,

Plaintiff,

v.

LLOYD J. AUSTIN, III, in his official capacity as
Secretary of Defense, U.S. Department of Defense;
CARLOS DEL TORO, in his official capacity as
Secretary of the Navy, Department of the Navy,

Defendants.

Case No. 4:22-cv-01739

JOINT STIPULATION OF DISMISSAL

Plaintiff Asa Miller (“**Plaintiff**”) and Defendants Lloyd J. Austin, III, in his official capacity as Secretary of Defense, U.S. Department of Defense and Carlos Del Toro, in his official capacity as Secretary of the Navy, Department of the Navy (“**Defendants**”) (Plaintiff and Defendants collectively the “**Parties**”), by and through their respective counsel of record, hereby stipulate and agree as follows:

WHEREAS, on May 27, 2022, Asa Miller, a member of the Navy, filed a complaint for declaratory and injunctive relief in the above-captioned action alleging causes of action for violations of the Administrative Procedures Act, 5 U.S.C. § 551, et seq., 10 U.S.C. § 1107(a)(1), and 21 U.S.C. 360bbb-3 (the “**Lawsuit**”);

WHEREAS, Plaintiff and Defendants, through their respective counsel, have engaged in FRE 408 protected settlement discussions to amicably resolve the Lawsuit as stated herein.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the Parties, by and through their respective counsel, that:

Joint Stipulation of Dismissal
4:22-cv-01739
06.21.2022

1. The Lawsuit is voluntarily dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), with each side to bear its own costs, attorney fees, and expenses; and
2. This stipulation may be signed in counterparts, and that electronic (PDF) signatures may be deemed originals for all purposes.

Dated: June 21, 2022

SIRI & GLIMSTAD LLP

By: /s/ Ursula Smith
Aaron Siri (*Pro Hac Vice*)
Elizabeth A. Brehm (*Pro Hac Vice*)
200 Park Avenue
Seventeenth Floor
New York, NY 10166
Telephone: 212-532-1091
Facsimile: 646-417-5967
aaron@sirillp.com
ebrehm@sirillp.com

Ursula Smith (Texas Bar No. 24120532)
Wendy Cox (*Pro Hac Vice*)
100 Congress Avenue
Suite 2000-4590
Austin, TX 78701
Telephone: 512-265-5622
Facsimile: 646-417-5967
usmith@sirillp.com
wcox@sirillp.com

Chris Wiest, Attorney at Law, PLLC

Christopher Wiest (*Pro Hac Vice* to be filed)
Chris Wiest, Attorney at Law, PLLC
25 Town Center Blvd, Ste. 104
Crestview Hills, Kentucky 41017
Tel: (513) 257-1895
chris@cwiestlaw.com

Attorneys for Plaintiff

Joint Stipulation of Dismissal
4:22-cv-01739
06.21.2022

Dated: June 21, 2022

By: JULIE
REDLINGER

Digitally signed by JULIE
REDLINGER
Date: 2022.06.21 13:30:37
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Julie Redlinger
Assistant U.S. Attorney
1000 Louisiana Street, Suite 2300
Houston, Texas 77002
Office: 713-567-9779
julie.redlinger@usdoj.gov

Attorney for Defendants

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing by CM/ECF, this 21st day of June, 2022.

/s/ Ursula Smith
Ursula Smith
(Texas Bar No. 24120532)